APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
MORRISON, JAY A

ART UNIT	PAPER NUMBER
2168	

DATE MAILED: 11/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 September 2006*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04 August 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Remarks

1.   Claims 1-27 are pending.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by <u>Keith</u>

(Patent Number 6,629,097).

As per claim 1, <u>Keith</u> teaches

"A data management system comprising:" (see abstract and background)

"a processing device" (computer-implemented system, column 56, lines 32-36);

"and memory containing executable instructions that cause the processing

device to perform as a knowledge container creator module operative to create at least

a first data descriptor item and at least a second data descriptor item based upon a raw

data item" (entities and concepts, column 25, line 53 through column 26, line 19) ",

capable of containing data representing raw data that is in one of a plurality of different

formats" (myriad of data sources, column 18, lines 8-20) ", and to link the raw data item

to at the least a first data descriptor item, and to link the raw data item to the at least a

second data descriptor item" (entities and concepts, column 25, line 53 through column

26, line 19).

As per claim 2, Keith teaches

"the first data descriptor item is in the form of a context descriptor" (entity

descriptions, column 44, lines 7-33),

"and wherein the second data descriptor item is in the form of at least one of the

following: decision-support data descriptor, keyword descriptor and data access

instructions descriptor" (associative terms, column 25, lines 53-60).

As per claim 3, Keith teaches

"A data management system comprising:" (see abstract and background)

"a processing device" (computer-implemented system, column 56, lines 32-36);

"and memory containing executable instructions that cause the processing

device to perform as a knowledge container administrator module operative to modify a

template descriptor item and operative to create knowledge transformation information

by extrapolating data from a raw data item capable of containing data representing raw

data" (column 25, line 53 through column 26, line 19) "that is in one of a plurality of

different formats" (myriad of data sources, column 18, lines 8-20).

As per claim 4, Keith teaches

"the knowledge container administrator module is further operative to link the raw

data item to the knowledge transformation information" (column 25, line 53 through

column 26, line 19).

As per claim 5, Keith teaches

"A data management system comprising:" (see abstract and background)

"a processing device" (computer-implemented system, column 56, lines 32-36);

"and memory containing executable instructions that cause the processing

device to perform as a knowledge container creator module operative to link " (identify

and store, column 25, lines 53-60) " a raw data item that is in one of a plurality of

different formats" (myriad of data sources, column 18, lines 8-20) ", to at least a first

data descriptor item wherein the first data descriptor item is in the form of a context

descriptor containing descriptive information about the raw data item " (entity

description, column 25, lines 48-52) ", and wherein the knowledge container creator

module is operative to link the raw data item to at least a second data descriptor item,

wherein the second data descriptor item is in the form of at least one of: a decision-

support data descriptor, containing decision-support information generated from the raw

data item, a keyword descriptor, identifying keywords contained in the raw data item,

and a data access instructions descriptor, providing instructions on how to access the

raw data in the raw data item" (associative terms, column 25, line 53 through column

26, line 19);

"and a knowledge container searcher module operative to retrieve the raw data

item by searching at least one of: the first and second data descriptor items" (column 44

lines 34-60).

As per claim 6, Keith teaches

"the knowledge container creator module is operative to generate the first data

descriptor item based upon the raw data item" (entities, column 25, lines 53-60).

As per claim 7, Keith teaches

"a base knowledge container update module that is operative to generate the

second data descriptor item based upon the raw data item" (concepts, column 25, lines

53-60).

As per claim 8, Keith teaches

"a base knowledge container update module that is operative to format the first

and second data descriptor items in XML knowledge container format" (column 25, lines

40-47).

As per claim 9, Keith teaches

"a knowledge container administrator module operative to modify a template

descriptor item, for creating the first data descriptor item and for searching the first and

second data descriptor items, wherein the template descriptor item includes at least one

of: template knowledge containers, for providing the inputs for entering the context

descriptor, search template knowledge containers, for providing the inputs for searching

the data descriptor items, and dictionary knowledge containers, for identifying

keywords" (column 30, lines 58-65).

As per claim 10, Keith teaches

"modifying template descriptor item includes at least one of: adding fields,

removing fields, adding keywords and removing keywords" (column 44, lines 34-45).

As per claim 11, Keith teaches

"a knowledge container administrator module operative to create knowledge

transformation information by extrapolating data from the raw data item and operative to

link the raw data item to the knowledge transformation information" (column 20, lines

27-68).

As per claim 12, Keith teaches

"the knowledge container administrator module is operative to create a

knowledge model using knowledge discovery techniques on the raw data item in the

form of at least one of: decision trees, rule sets, neural networks and expression trees"

(analyze relational structure, column 45, lines 12-21).

As per claim 13, <u>Keith</u> teaches

"a base knowledge container update module that is operative to format the raw

data item into a specific XML knowledge container format" (column 25, lines 40-47).

As per claim 14, <u>Keith</u> teaches

"the base knowledge container update module generates a keyword descriptor

by processing the raw data item" (associative terms, column 25, lines 53-60).

As per claim 15, <u>Keith</u> teaches

"a knowledge container database operative to store the raw data item, the first

data descriptor item, and the second data descriptor item" (column 17, lines 20-50;

column 18, lines 8-20).

As per claim 16, <u>Keith</u> teaches

"the base knowledge container comprises: a knowledge source depository

containing the raw data item" (column 18, lines 8-20);

"and a metaknowledge depository containing the at least two data descriptor

items associated with the raw data item" (column 44, lines 40-50).

As per claim 17, <u>Keith</u> teaches

"the base knowledge container further comprises a knowledge representation depository containing the knowledge transformation information generated from the raw data item" (matrices, column 25, line 53 through column 26, line 20).

As per claim 18, <u>Keith</u> teaches

"the knowledge transformation information is in the form of at least one of: knowledge model and summary report" (matrices, column 25, line 53 through column 26, line 20).

As per claim 19, <u>Keith</u> teaches

"the knowledge model is in the form of at least one of: decision trees, rule sets, neural networks and expression trees" (analyze relational structure, column 45, lines 12-21).

As per claim 20, <u>Keith</u> teaches

"the first and second data descriptor items are in the form of at least one of the following: decision-support data descriptor, keyword descriptor, context descriptor and data access instructions descriptor" (entities and concepts, column 25, line 53 through column 26, line 19).

As per claim 21, <u>Keith</u> teaches

"the raw data item, the first descriptor item and the second descriptor item are stored in a XLM data blocks" (column 25, lines 40-47).

As per claim 22, <u>Keith</u> teaches

"the XML data blocks are defined by a data block definition with a form including at least one of: a table and a matrix" (column 25, lines 40-47).

As per claim 23, <u>Keith</u> teaches

"A method for processing data comprising:" (see abstract)

"creating at least a first data descriptor item and at least a second data descriptor item based upon a raw data item" (entities and concepts, column 25, line 53 through column 26, line 19) ", capable of containing data representing raw data that is in one of a plurality of different formats" (myriad of data sources, column 18, lines 8-20) ", linking the raw data item to at the least a first data descriptor item, and linking the raw data item to the at least a second data descriptor item to produce linked data" (column 25, lines 53-60)

"and storing the linked data" (column 25, line 53 through column 26, line 19).

As per claim 24, <u>Keith</u> teaches

"creating the first and second descriptor items based upon the raw data item" (entities and concepts, column 25, line 53 through column 26, line 19).

As per claim 25, <u>Keith</u> teaches

A computer readable medium containing programming instructions for

processing data, the computer readable medium including programming instructions

for:" (see abstract and background)

"linking a raw data item, capable of containing data representing raw data stored

that is in one of a plurality of different formats" (myriad of data sources, column 18, lines

8-20) ", to at least a first data descriptor item wherein the first data descriptor item is in

the form of a context descriptor, containing descriptive information about the raw data

item, linking the raw data item to at least a second data descriptor item, wherein the

second data descriptor item is in the form of at least one of: an decision-support data

descriptor, containing a decision-support information generated from the raw data, a

keyword descriptor, identifying keywords contained in the raw data item, and a data

access instructions descriptor, providing instructions on how to access the raw data in

the raw data item" (entities and concepts, column 25, line 53 through column 26, line

19);

"and locating the raw data item by searching at least one of: the first and second

data descriptor items" (column 44 lines 34-60).

As per claim 26, <u>Keith</u> teaches

"generating knowledge transformation information by extrapolating data from the

raw data item" (matrices, column 25, line 53 through column 26, line 20);

"and creating the first and second data descriptor items based upon the raw data item" (entities and concepts, column 25, line 53 through column 26, line 19).

As per claim 27, <u>Keith</u> teaches

"A data management system comprising:" (see abstract and background)

"a processing device" (computer-implemented system, column 56, lines 32-36);

"and memory containing executable instructions that cause the processing device to perform as a knowledge container creator module operative to create at least a first data descriptor item and at least a second data descriptor item based upon the raw data item" (entities and concepts, column 25, line 53 through column 26, line 19) ", capable of containing data representing raw data that is in one of a plurality of different formats" (myriad of data sources, column 18, lines 8-20) ", and to link a raw data item to at the least a first data descriptor item, and the knowledge container creator module operative to link the raw data item to the at least a second data descriptor item" (column 25, line 53 through column 26, line 20) ", wherein the second data descriptor item is in the form of at least one of: a decision-support data descriptor, containing a decision-support information generated from the raw data; a keyword descriptor, identifying keywords contained in the raw data item, and a data access instructions descriptor, providing instructions on how to access the raw data in the raw data item" (column 44, lines 7-33);

"and a knowledge container searcher module operative to retrieve the raw data item by searching at least one of: the first and second data descriptor items" (column 44 lines 34-60);

"a knowledge container administrator module operative to modify template descriptor item for creating the first data descriptor item and for searching the first and second data descriptor items, wherein the template descriptor item includes at least one of: template knowledge containers, for providing the inputs for entering the context descriptor, search template knowledge containers, for providing the inputs for searching the data descriptor items, and dictionary knowledge containers, for identifying keywords" (column 55, line 34 through column 45 line 11) ", and the knowledge container administrator module operative to create knowledge transformation information by extrapolating data from the raw data item and operative to link the raw data item to the knowledge transformation information" (matrices, column 25, line 53 through column 26, line 20);

"and a base knowledge container update module operative to format the raw data item into an XML knowledge container format" (column 25, lines 40-47) ", and to generate a keyword descriptor by processing the raw data item" (column 25, lines 53-60);

"a knowledge container database operative to store the raw data item, the first descriptor item and the second descriptor item and the knowledge container database further having: a knowledge source depository containing the raw data item" (column 17, lines 20-50; column 18, lines 8-20);

"a metaknowledge depository containing the data descriptor item associated with

the raw data item" (column 44, lines 40-55);

"and a knowledge representation depository containing the knowledge

transformation information generated from the raw data item" (matrices, column 25, line

53 through column 26, line 20).

Response to Arguments

4.   Applicant's arguments filed 9/15/2006 have been fully considered but they are

not persuasive.

As per claims 1,5,23 and 27, with regards to Applicant's argument that Keith

does not disclose "a knowledge container creator module capable of containing data

representing raw data that is in one of a plurality of difference formats", it is noted that

Keith discloses entities and concepts identified and stored from raw data (column 25,

line 53 through column 2, line 19) which can come from many difference sources and

formats (column 18, lines 10-20). Therefore Keith discloses the limitation.

As per claim 3, 5,23 and 27, with regards to Applicant's argument that Keith does

not disclose "to modify a template descriptor item and create knowledge transformation

by extrapolating data from a raw data item that is in one of a plurality of different

formats", it is respectfully submitted that this is different from the claimed "to modify a

template descriptor item and create knowledge transformation by extrapolating data

from a raw data item *capable of containing data representing raw data* that is in one of a

plurality of different formats". Regardless, it is noted that <u>Keith</u> discloses identifying and storing raw data entities and concepts in a matrix (column 25, lines 53-60), where the raw data can come from many difference sources and formats (column 18, lines 10-20. Therefore <u>Keith</u> discloses the limitation.

As per claim 8, with regards to Applicant's argument that <u>Keith</u> does not disclose "a base knowledge container update module that is operative to format the first and second data descriptor items in XML knowledge container format", it is noted that <u>Keith</u> discloses a set of documents which have been marked up to reveal data structure in XML (column 25, line 40-45), which is equivalent to the claim. Therefore <u>Keith</u> discloses the limitation.

As per claim 25, with regards to Applicant's argument that <u>Keith</u> does not disclose "a data access instructions descriptor, providing instructions on how to access the raw data in the raw data item", it is noted that the claim reads "at least one of" and <u>Keith</u> discloses extraction of terms (column 25, lines 55-60), which teaches the claimed "identifying keywords contained in the raw data item". Therefore <u>Keith</u> discloses the limitation.

Conclusion

1.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

The prior art made of record, listed on form PTO-892, and not relied upon is

considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jay A. Morrison whose telephone number is (571) 272-

7112. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tim Vo can be reached on (571) 272-3642. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

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